

**FILED - GR**

December 7, 2020 9:04 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: mkc SCANNED BY: JW 12-7

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**United States District Court For The Western District Of Michigan**

**Plaintiff Complaint**

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Jury Trial Requested – Verbal Arguments Requested

**Parties**

Daniel Edward Callahan

December 7, 2020

Plaintiff

Vs.

Honorable Judge Karen Miedema, Honorable Judge Jon Van Allsburg and unnamed contributing Judges of The 20<sup>th</sup> Circuit Court for The State of Michigan in Their Official Capacities and The Ottawa County Circuit Court of Michigan

**1:20-cv-1170**

Daniel Callahan

Defense attorney unknown

Plaintiff: In Pro Se

**Janet T. Neff**

380 Lake Street

**U.S. District Judge**

Fruitport, MI 49415

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Attorney For Plaintiff

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Attorney For Defendant

**STATEMENT OF CASE**

Plaintiff, Daniel Callahan complains, the Defendants refused Plaintiff Due Process under the law, therefore violated Plaintiff's 14<sup>th</sup> Constitutional Amendment Right. Plaintiff remedied the Defendants failures upon successfully seeking Superintending Control upon the Defendants within The Michigan Court of Appeals (MCOA) upon issuance of an order from the MCOA demanding the Defendants perform their Clear and Legal Duties. Plaintiff suffered unnecessary legal expenses upon having to file an Original Action within the MCOA to obtain an order demanding the Defendants perform their Clear and Legal Duty. Plaintiff seeks reimbursement for the unnecessary expenses.

Plaintiff states the following;

## STATEMENT OF FACTS

1. Plaintiff filed an Original Action within the Michigan Court of Appeals (MCOA) on August 5, 2020 seeking Superintending Control of the Defendants based upon their failure to perform their Clear and Legal Duties. (Exhibit 1)
2. Plaintiff was successfully awarded Superintending control by MCOA on October 6, 2020 upon order of the MCOA stating, "The Ottawa County Circuit Court is DIRECTED to enter a written order deciding the Plaintiff's May 22, 2020 "Motion For Disqualification Of A Judge / Court Reassignment" within 21 days of this order". (Exhibit 2)
3. Defendant Miedema issued an order in compliance with the MCOA order dated October 14, 2020. Defendant Miedema claimed she was unaware of the properly filed motion she failed to rule upon even though the motion was timely, properly submitted to the court, court stamped and dated, as well, documented within her court record of actions. (Exhibit 3)
4. Defendant Van Allsburg failed to respond to the MCOA order that would require a de novo review as requested by Plaintiff and in accordance with Michigan Court Rules. Therefore, Plaintiff has again filed an original action with the MCOA demanding the Defendants be held in Contempt. (Exhibit 4)
5. Defendant Miedema proceeded to issue a senseless 2-year extension for a personal protection dated November 17, 2020 as retribution. Defendant Miedema has no lawful foundation for such an order. (Exhibit 5)
6. Plaintiff filed a response to Defendant Miedema's order and scheduled a hearing to terminate that order to be heard before Defendant Miedema on December 10, 2020. However, full well understanding it is a senseless process to conduct a hearing with her in the 20<sup>th</sup> Circuit Court of Michigan based upon nonsense orders issued from that court for over 15 years and having such orders be quashed by Plaintiff. Plaintiff Callahan will again be forced to endure further expenses within the MCOA to Appeal and dismiss such a senseless retribution by Defendant Miedema. (Exhibit 6)
7. The Defendants once again Violate Plaintiff's 8<sup>th</sup> United States Constitutional Amendment by inflicting cruel and unusual punishment upon Plaintiff.
8. The Defendants once again Violate Plaintiff's 14<sup>th</sup> United States Constitutional Amendment as they continue to cause pernicious harms of Plaintiff depriving him of life, liberty, and property.

### **Prayer For Relief**

Plaintiff requests this court demand Defendants reimburse Plaintiff for legal expenses incurred when Plaintiff was required to obtain Superintending Control upon Defendants. The Defendant's only preformed their Clear and Legal Duties after Plaintiff endured the expenses of obtaining Superintending Control upon Defendants.

Respectfully Submitted This 7<sup>th</sup> Day Of December 2020

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Callahan', written over a horizontal line.

Daniel Callahan